



For Ecology Use
(Date Stamp)



Water Resources Program

Request for Determination of Water Budget Neutrality

☒ **SURFACE WATER** ☐ **GROUND WATER**

Please ensure that the form is completely filled out.

Incomplete forms will lead to longer processing times, and may be rejected.

Section 1. APPLICANT

Applicant/Business Name: Hart Creek Summer Homes Association	Phone No: (509) 728-0415	Other No: (509) 453-9193
Address: 1014 S. 33 rd Ave		
City: Yakima	State: WA	Zip: 98902
Email Address (optional): Bill@VKPowell.com		

Contact Name (if different from above): Bill Frymier	Phone No:	Other No:
Relationship to Applicant:		
Address:		
City:	State:	Zip:

Section 2. STATEMENT OF INTENT

35 Briefly describe the purpose of your proposed project: The Hart Creek Summer Homes Association is made up of 34 cabins and a resort/restaurant whose water use is authorized under Yakima County Adjudication Court Claim No.'s 00763, 01026, and 02217. The priority dates of these claims vary from 1946 to 1948, and are subject to curtailment during years of prorationing of the Yakima Basin Water Project. This application is requesting that Ecology sell mitigation to the Hart Creek Homes and make a determination that, upon purchase of mitigation, Hart Creek is water budget neutral and may continue to use their water rights during years of prorationing (dry years).

Anticipated length of time to complete your project: complete

Is this for an existing use, established prior to July 16, 2009? X Yes No

If yes, when was the water first regularly and beneficially used? 1946

For Ecology Use	APPLICATION NO: <u>54-35558</u>	SEPA: Exempt/Not Exempt
	Fee Paid: <u> </u> Check No: <u> </u>	ECY Coding: 001-001-WR1-0285-000011
Date Returned	By	Priority Date <u>03-29-2012</u> By <u> </u> WRIA: <u>39 Kitt</u>

Water Use: List all proposed uses and the quantity required for each. (For example: domestic, group domestic, lawn or commercial garden, municipal water supply, stock watering or industrial.)

Purpose(s) of Use	Rate (check one box only)	Total Water Use* in Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	X Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
Domestic Consumption	0.043	9.75	Continuously
TOTAL:			

*Total water use is the total quantity of water required for each use. (1 acre-foot = 325,851 gallons). For example calculations, located at:

<http://www.ecy.wa.gov/programs/wr/cro/wtrchng.html>

Section 3. POINT OF DIVERSION OR WITHDRAWAL

Complete A or B, and C below

A.) If Surface Water Source

☐ Spring
 ☒ Creek
 ☐ River
 ☐ Lake
☐ Other: _____

Source Name: Hart Creek

Tributary to: Rimrock Lake/Tieton River

Number of proposed diversion points: 1

Do you have an existing diversion? X YES ☐ NO

B.) If Ground Water Source

Do you have an existing well? ☐ YES ☐ NO

☐ Well(s) ☐ Other: _____

Existing well diameter & depth: _____

If available, attach Water Well Report and pump test.

Well Tag ID No. _____

Number of proposed points of withdrawal: _____

C.) Point of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
	SW	NW	2	13	13	Yakima
Lot(s)	Block(s)		Subdivision			

If available, GPS (Global Positioning System) device location:

Latitude: _____ N Longitude: _____ W

Datum and units (for example NAD83 and decimal degrees, etc): _____ (required for all GPS locations)

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

1100 Feet (☒ North/☐ South) and 250 feet (☒ East/☐ West) from the west quarter corner of Section 2.

Water Use: List all proposed uses and the quantity required for each. (For example: domestic, group domestic, lawn or commercial garden, municipal water supply, stock watering or industrial.)

Purpose(s) of Use	Rate (check one box only)	Total Water Use* in Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input checked="" type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
Domestic Consumption	0.043	9.75	Continuously
TOTAL:			

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Latitude: _____ N Longitude: _____ W

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If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

1100 Feet (☒ North/☐ South) and 250 feet (☒ East/☐ West) from the west quarter corner of Section 2.

NOTE: If more than one point of diversion/withdrawal, attach additional information on a separate sheet of paper. A map identifying the well location within the parcel is required for all existing wells proposed for use under this request (see below).

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map. Please ensure that the well location and parcel number listed in Section 3 matches the well location on the site map and on the well log. If there are any differences please provide an explanation on a separate sheet of paper. Unclear well locations may cause delays in processing the request.

Section 4. WATER SYSTEM INFORMATION

Complete A or B, C, D, E and F below

A.) Domestic Water Systems only

Projected number of connections to be served:

34 35 cabins + Restaurant/Resort
edits per Bill Frymier 3/29/12

Type of connections: recreational cabin, restaurant
(e.g., home, recreational cabin)

B.) Municipal Water Systems only

(defined under RCW 90.03.015)

Present population to be served water:

Estimate future population to be served:
(20 year projection)

C.) Water System Planning

Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? ☐ YES ☐ NO

If yes, date plan was approved ____/____/____ Water System Number: ID 31495

Name of water system: Heart Creek Summer Homes

Are you within the service area of an existing water system? ☐ YES X NO

If yes, explain why you are unable to connect to the system:

D.) On-Site Septic

Will there be an on-site septic system? X YES ☐ NO

If yes, please provide a copy of the property covenant that restricts or prohibits trees or shrubs over the septic drain field. Varying types of systems

E.) Sanitary Sewer System

Will domestic wastewater be discharged to a sanitary sewer system? ☐ YES ☒ NO

If yes, please provide a copy of the sewer utility agreement that serves the proposed project.

F.) Irrigation

Total number of acres requested to be irrigated under this application = 0 Acres or _____ square feet

NOTE: Outline the area to be irrigated on your attached map.

(1 acre = 43,560 square feet)

Section 5. MITIGATION

To request a determination of Water Budget Neutrality under Chapter 173-539A WAC, the applicant must identify an existing trust water right or pending application to place a water right in trust. The trust water right(s) must:

- Contribute an equal or greater amount to Yakima River flow during the irrigation season, as measured at Parker.
- Have a priority date earlier than May 10, 1905.
- Be eligible to be used for instream flow protection and mitigation of out-of-priority uses.

A) Existing Trust Water Right

Please identify existing trust water right(s) for use as mitigation. **Cabin Owner's Water Bank**

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
		TOTAL:	

B) Proposed Trust Water Right Application

Please identify the pending application(s) to place a water right(s) into trust for use as mitigation.

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
		TOTAL:	

C) Quantity of Trust Water Right(s) listed in Section 5 (A) and (B) Acquired for Mitigation

Please list the specific quantity in AFY of Trust Water Right(s) listed in Sections 5(A & B) that have been acquired to offset consumptive use associated with this proposed new use of groundwater: _____ AFY

Note: You may wish to refer to the online water use calculator for example consumptive use calculations:

<http://www.ecy.wa.gov/programs/wr/cro/wtrxchng.html>

Additional information regarding consumptive use can be found in Chapter 173-539(A)-050(3) WAC.

Copy

F.) Irrigation

NOTE: Outline the area to be irrigated on your attached map.

To request a determination of Water Budget Neutrality under Chapter 173-539A WAC, the applicant must identify an existing trust water right or pending application to place a water right in trust. The trust water right(s) must:

- ### A) Existing Trust Water Right

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
	TOTAL:		

Please identify the pending application(s) to place a water right(s) into trust for use as mitigation.

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
	TOTAL:		

Please list the specific quantity in AFY of Trust Water Right(s) listed in Sections 5(A & B) that have been acquired to offset consumptive use associated with this proposed new use of groundwater: AFY

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Section 6. PLACE OF USE

Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

And Lot 25

Lots 1 through 24, and 26 through 36 of Hart Creek Summer Homes area within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2; the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 3, all lying northerly of State Highway 12; All being within Unsurveyed T. 13 N., R. 13 E.W.M., Snoqualmie National Forest.

And the Resort and Restaurant in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 2, T 13, R 13

$\frac{1}{4}$	$\frac{1}{4}$	Section	Twp.	Range	County	Parcel No.
			13	13	Yakima	

Section 7. REQUIRED SIGNATURES

I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my request, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though employees of the Department of Ecology may have assisted me in the preparing this application, I am fully responsibility for the accuracy of the information provided.

William Frymies William Frymies 3/29/12
Print Name Signature Date
(Applicant or authorized representative)

Print Name _____
(Land Owner, if seeking to use the ground water exemption) Signature Date

Forest Service Land

Submit this form to:

DEPARTMENT OF ECOLOGY
WATER RESOURCES PROGRAM
CENTRAL REGIONAL OFFICE
15 W. YAKIMA AVE, SUITE 200
YAKIMA, WA 98902-3452

NE SE
Sec 2 is
in middle of
the lake's
Sec 3
perhaps?